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November 13, 2013

TO: Each Supervisor

FROM: Jonathan E. Fielding, M.D., M.P.H. *J. Fielding*
Director and Health Officer

SUBJECT: **MISLABELED SEAFOOD**

On a motion by Supervisor Antonovich on November 20, 2012, the Department of Public Health (DPH) was directed to provide its next steps regarding mislabeled seafood. Subsequently, DPH has provided updates on implementation activities on December 19, 2012, April 16, 2013, and August 5, 2013. This report provides a further update on implementation activities, and ongoing and future plans to monitor mislabeling, investigate complaints, and to conduct enforcement activities.

The workgroup of DPH representatives; seafood distributors, including American Fish and Seafood Company, H&N Food International, Southwind Foods Company, Great American Seafood Imports Company, and Pacific American Fish Company; and representatives of the Chinese-American and Japanese Restaurant Associations had determined that retailers, as well as consumers, needed to be better informed of the measures they could take regarding seafood mislabeling and species substitution. In response, DPH posted two sets of guideline materials on the DPH Environmental Health Division website, which also contains a link to the DPH Report-A-Problem page.

In July 2013, field inspectors began distributing the *"What Restaurants and Markets Need to Know about Seafood Mislabeling"* guidelines to food facility operators who offer seafood for sale, and logging mislabeling and substitution violations observed during field inspections. DPH's approach is to educate facility operators during the course of routine or "complaint" inspections for the balance of the current fiscal year. On July 1, 2014, we will initiate enforcement in consultation with the appropriate prosecutorial agency.

After a review of the reports for the first quarter of Fiscal Year 2013-14, a total of two incidents of seafood substitution were reported: one through the Report-A-Problem webpage and the other was observed during the course of a routine inspection. The first incident revealed that a restaurant was substituting crawfish for lobster in sushi rolls. The second incident involved the substitution of white tuna and red snapper with escolar and tilapia, respectively. The operators were directed to discontinue the substitution(s) and change the menu to reflect the proper fish species being offered.

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DPH will continue to inspect restaurants and markets that offer seafood for sale, investigate complaints on seafood, monitor mislabeling/substitution violations for trends, and take appropriate enforcement action to address observed seafood mislabeling/substitution violations.

If you have any questions, or need additional information, please let me know.

JEF:pk
PH:1204:004

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors